

S
364.65
Plecr
1998

MONTANA STATE LIBRARY
3 0864 0014 2606 6

BOARD OF PARDONS AND PAROLE



MARC RACICOT
GOVERNOR

RECEIVED
GOVERNOR'S OFFICE
HELENA, MONTANA

CRAIG THOMAS
EXECUTIVE DIRECTOR

STATE OF MONTANA

(406) 846-1404
FAX (406) 846-3512

300 MARYLAND
DEER LODGE, MONTANA 59722

DATE: November 13, 1998

TO: Judy Browning, Chief of Staff
Governor's Office

FROM: Craig Thomas, Executive Director

RE: Executive Clemency Report

A handwritten signature in cursive script, appearing to read "Craig Thomas".

Dear Judy,

Please find enclosed the Board of Pardons and Parole Executive Clemency Report. As you are aware, Governor Racicot has not signed an Executive Clemency Order since 1993. Duncan Mc Kenzie is listed in the report because the Board forwarded a recommendation to the Governor.

Please feel free to contact me if I can be of further assistance.

STATE DOCUMENTS COLLECTION

JAN 08 1999

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620

PLEASE RETURN

State of Montana - Board of Pardons and Parole Executive Clemency Report

Name	Crime	Date, County, and Sentence	Executive Order Signed	Board Member Objections	Reason
Duncan Peder McKenzie	Deliberate Homicide; Aggravated Kidnapping	3-3-75, Cascade, Death	Capital Offense, Board recommended against Executive Clemency, Governor Racicot did not grant clemency	None	McKenzie executed May 10, 1995
Michael Gary Davies	Assault and Battery with a Weapon	4-1-69, Jefferson, 3yrs Probation, 4mos Jail	4-9-93, Racicot, Pardon	None	Demonstrated exemplary performance
Gene Earl Brown	Issuing a Bad Check	11-14-90, Flathead, 10yrs	11-6-92, Stephens, Commutation	None	Substitute non-dangerous for dangerous designation to allow parole eligibility (terminal illness)
John Dickens Armstrong	Aggravated Assault; Intimidation; Deviate Sexual Conduct; Escape	7-30-79, Dawson, 40yrs	10-7-92, Stephens, Commutation	None	Substitute non-dangerous for dangerous designation to allow parole eligibility (life in danger)
Lynn D. Kirsch	Possession of Dangerous Drugs with Intent to Sell	3-22-82, Missoula, 5yrs	10-19-92, Stephens, Pardon	None	10 years of exemplary adjustment
Edward Keith Joliff	Theft	Fergus, 45 days MSP, 3yrs Probation	10-19-92, Stephens, Pardon	None	Demonstrated exemplary performance
Francis Lee Auld	Negligent Homicide	Missoula, 9yrs w/7yrs 182 days suspended	4-23-92, Stephens, Pardon	None	Demonstrated exemplary performance
Debra Segna	Forgery	Silverbow, 10yrs	11-27-91, Stephens, Pardon	None	Demonstrated exemplary performance
Mark Murnion	Sale of Drugs; Possession of Drugs; Theft	Fergus, 2yrs	4-10-91, Stephens, Pardon	None	Demonstrated exemplary performance
Letha Martz	Issuing Bad Checks	Richland, 3yrs	6-26-90, Stephens, Pardon	None	Demonstrated exemplary performance - employment limitations
Wanda Marie Olsen	Forgery; Possession of Dangerous Drugs	Yellowstone, 2yrs, 6mos	6-12-90, Stephens, Pardon	None	Demonstrated exemplary performance - employment limitations
Robert Richard Reed	Burglary	7-22-83, Custer, 5yrs Probation	5-22-90, Stephens, Pardon	None	Minor offense, no criminal history, and exemplary performance

Name	Crime	Date, County, and Sentence	Executive Order Signed	Board Member Objections	Reason
Arthur Fenton	Issuing Bad Checks	5-10-47, Cascade, 1yr	2-22-90, Stephens, Pardon	None	Length of time elapsed since conviction - exemplary performance
David C. Keith	Aggravated Kidnapping	4-17-85, Lake, Death	12-29-88, Schwinden, Commutation	Chairman Burgess dissented - Death sentence appropriate	Substituted Life w/out Parole for Death
Scott Koontz	Burglary	4-25-75, Park, 60 days Prison, 3yrs 6mos Probation	5-13-88, Schwinden, Pardon	None	Exemplary performance
John P. Clair	Murder, 2nd	6-2-55, Lewis & Clark, 75yrs	5-13-88, Schwinden, Commutation	None	Commutated to time served - length of time served, good adjustment
James L. Smith	Manslaughter	5-2-63, Silverbow, 5yrs	2-25-88, Schwinden, Pardon	None	Exemplary performance for over 20 years
William Foster	Attempted Deliberate Homicide; Robbery	4-23-75, Silverbow, 25yrs	2-9-88, Schwinden, Commutation	None	Sentence commuted to time served
Delmer J. Howard	Murder	11-9-54, Silverbow, 18yrs	2-9-88 Schwinden, Pardon	None	Exemplary performance for nearly 30 years
Charles A. Vestre	Issuing Bad Checks	1-19-54, Flathead, 10yrs	10-16-87, Schwinden, Pardon	None	Exemplary performance, time elapsed since offense, minor offense
Patrick E. Durnam	Possession of Dangerous Drugs, 2cts	1-19-78, Gallatin, 7yrs w/3yrs 6mos suspended	7-20-87, Schwinden, Pardon	None	Exemplary performance
Everette T. Howard	Mitigated Deliberate Homicide; Burglary	6-14-77, Missoula, 25yrs w/15yrs ss; 6-30-64, Silverbow, 3yrs Probation	7-20-87, Schwinden, Pardon and Commutation	None	Commutated sentence to time served and granted Pardon. Tremendous rehab effort - Masters degree
Justin Fields	Possession Dangerous Drugs	5-2-75, Yellowstone, 18mos	3-9-87, Schwinden, Pardon	None	Exemplary performance, time elapsed since offense
Eugene E. Patmeaude	Sexual Assault	1-14-83, Cascade, 10yrs	12-22-86, Schwinden, Commutation	None	Time commuted from 10yrs to 5yrs - terminal illness (6-8-87 deceased)
William F. Massee	Theft, 5cts	7-1-80, Meagher, 5yrs Probation	8-21-86, Schwinden, Pardon	None	Exemplary performance

Offender	Crime	Date, County, and Sentence	Executive Order Signed	Board Member Objections	Comments
Kenneth M. Ingle	Theft	3-1-82, Lincoln, 5yrs Probation	8-21-86, Schwinden, Pardon	None	Exemplary performance
John G. Fairservice	Burglary	3-28-52, Toole, 3yrs Probation	8-21-86, Schwinden, Pardon	None	Exemplary performance, time elapsed since conviction - employment restrictions
Joseph Miller Sr.	Unauthorized Use of a Motor Vehicle; Forgery	5-19-54, Valley, 3yrs; 2-21-51, Roosevelt, 1yr	2-13-85, Schwinden, Pardon	None	Exemplary performance
Robert L. Olson	Grand Larceny; Forgery; Burglary	5-26-72, Lincoln, 14yrs all ss but 5mos; 5-27-68, Toole, 3yrs 6mos; 10-20-66, Toole, 48mos	2-13-85, Schwinden, Pardon	None	Time elapsed since conviction, exemplary performance
Donald E. Ferriter	Disorderly Conduct; DWI	3-8-81, Lewis & Clark, Bond Forfeiture; 7-24-78, Lewis & Clark, Fine	8-13-84, Schwinden, Pardon	None	Business restrictions, exemplary performance
Edwin Rasmussen	Deliberate Homicide	4-30-75, Fergus, 50yrs w/20yrs suspended	7-12-84, Schwinden, Commutation	None	Sentence commuted to 25yrs - end lengthy supervision
Jesse R. Coate	Theft (m)	7-6-83, Rosebud, 30 days Jail suspended	3-16-84, Schwinden, Pardon	None	Exemplary performance
Alex Sam	Armed Robbery	9-30-52, Missoula, 20yrs	3-16-84, Schwinden, Pardon	None	Exemplary performance, time elapsed since conviction
Grace Laverne Chasing Hawk	Negligent Homicide	9-24-75, Yellowstone, 10yrs w/3yrs suspended	1-12-84, Schwinden, Pardon	None	Exemplary performance